

CM / ECF

Electronic Case Filing

Easy, Convenient, and Fast!

ELECTRONIC FILING IS COMING TO THE EASTERN DISTRICT OF ARKANSAS!

CM/ECF Bar Newsletter

January 2005

Case Management/Electronic Case Filing (CM/ECF) is the new automated case management and electronic docketing system. CM/ECF provides new, easy-to-use electronic case filing features that will make life easier for you by allowing you to file and view court documents over the Internet.

What Does CM/ECF Offer?

CM/ECF will allow attorneys to file and view documents from their office, home or anywhere they have access to the Internet, twenty-four hours a day, seven days a week. Documents are automatically docketed as part of the filing process and are immediately available electronically. CM/ECF also provides the following benefits:

- 24-hour access to filed documents over the Internet.
- Automatic e-mail notices of case activity.
- The ability to download and print documents directly from the court system.
- Concurrent access to case files by multiple parties.
- Secure storage of documents (so files are not misplaced).
- Reduced paper costs.
- No need for couriers, runners, or mail when filing documents with the court.

What Do I Need To Use CM/ECF?

- A personal computer running a standard platform such as Windows or Macintosh.
- Word processing software.
- Internet access and a browser. The system has been certified with Netscape and Internet Explorer.
- Software to convert documents into Portable Document Format (PDF).
- Scanning equipment may be useful.

How Does It Work?

The electronic case filing system accepts documents in Portable Document Format (PDF). PDF retains the way a document looks, so the pages, fonts and other formatting are preserved. Filing a document with the court's CM/ECF system is quite easy:

- Create the document using word processing software.
- Save the document in PDF format.
- Log onto the court's CM/ECF system, using a court-issued login and password.
- Follow the set of simple prompts to provide information about the case, party and document to be filed.
- Attach the PDF document and submit it to the court for filing (by pressing the submit button).
- Save or print the CM/ECF electronic receipt emailed from the court confirming that the document was filed.

Are There Fees?

There are no added fees for filing documents over the Internet using CM/ECF; existing case filing fees do apply. Electronic access to court data is available through the Public Access to Court Electronic Records (PACER) program. Attorneys and litigants receive one free copy of documents filed electronically in their cases; additional copies are available for viewing or downloading at eight cents per page with a \$2.40 maximum per document. Congress directed the Judiciary to fund electronic access through user fees and the fee has been set at the lowest possible level sufficient to recoup program costs.

How Will I Sign Documents?

The court will issue logins and passwords. Using your login and password to file a document is considered to be your signature for **Fed. R. Civ. P. 11** purposes.

How Secure Is CM/ECF?

CM/ECF has many security features and has passed the National Security Agency's evaluation. Documents can only be filed by using a court issued login and password.

When is CM/ECF Coming to This Court?

The Eastern District is currently on schedule to begin electronic filing in July 2005. It is anticipated that in March 2005, the Judges for the Eastern District will issue a General Order which will outline the parameters and procedures of this project. Upon adoption, this General Order will immediately be posted to the Court's web page at www.are.uscourts.gov.

What Kind of Training Will Be Provided?

The Eastern District is dedicated to making the transition to electronic filing as easy as possible for members of the bar and the public. As such, we will be offering extensive training classes, both in the Courthouse and off-site, which will thoroughly explain and demonstrate how electronic filing works. Please check the Court's web page for additional details (www.are.uscourts.gov).

Are There On-line Training Courses I Can Preview Today?

Yes – on the Eastern District's web page, www.are.uscourts.gov, under the icon entitled "Electronic Case Filing" there is a list of frequently asked questions and an on-line tutorial which will walk the participant through the actions necessary to file

papers electronically. We encourage everyone to visit our web page and experiment with CM/ECF's features.

Privacy Policy Redaction Requirements

The Judicial Conference Privacy Policy on remote public access to case files was recently updated and it is available on our web site. This policy requires those filing documents to omit or, where inclusion is necessary, partially redact personal data identifiers from documents before they are filed (electronically or on paper) with our court. Counsel are strongly urged to review this policy and share it with all clients to avoid personal information from being made available on the Internet. The responsibility for redacting personal data identifiers rests solely with counsel and the parties. The Clerk's Office will not review documents for compliance with this policy.

Electronic Newsletter

Newsletters updating our CM/ECF project will be issued on a regular basis, uploaded to our web page, and distributed through an electronic notification service. The court will use the electronic notification service to notify subscribers of training opportunities, distribute new local rules and general orders related to CM/ECF, as well as provide an advance opportunity to register for CM/ECF. To learn more about this service and to subscribe to the electronic newsletter, visit www.are.uscourts.gov/ECF/index.html.

Whom Do I Contact If I Want More Information On CM/ECF?

If after viewing the information posted on the District's web page you have additional questions, please feel free to contact the following individuals about the implementation of CM/ECF:

- James W. McCormack, Clerk of Court, 501-604-5300
- Dennis Wysocki, Chief Deputy of Operations, 501-604-5306
- Linda Shields, Systems Manager/Project Manager, 501-604-5343

Important Public Notice

Effective February 7, 2004, the fee for filing a civil complaint in the United States District Court will increase by \$100, to \$250.